

Members

Sen. Beverly Gard, Chairperson
Sen. Lindel Hume
Sen. Marvin Riegsecker
Sen. Karen Tallian
Rep. Ryan Dvorak
Rep. David Wolkins
Rep. Matt Pierce
Rep. Marlin Stutzman
Doug Meyer
Stephen L. Murray
Dave Wyeth
Dwayne Burke
Stacy Herr
John Hardwick
Art Umble
Calvin Davidson
Jon H. Moll
Thomas Easterly



ENVIRONMENTAL QUALITY SERVICE COUNCIL

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Robert Bond, Attorney for the Council
Bernadette Bartlett, Fiscal Analyst for the Council

Authority: IC 13-13-7

MEETING MINUTES¹

Meeting Date: October 30, 2007
Meeting Time: 9:30 A.M.
Meeting Place: House Chambers, State House, 200
W. Washington St.
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Sen. Beverly Gard, Chairperson; Sen. Lindel Hume; Sen. Karen Tallian; Rep. Ryan Dvorak; Rep. David Wolkins; Rep. Matt Pierce; Rep. Marlin Stutzman; Doug Meyer; Stephen L. Murray; Dwayne Burke; Stacy Herr; John Hardwick; Art Umble; Jon H. Moll; Thomas Easterly.

Members Absent: Sen. Marvin Riegsecker; Dave Wyeth; Calvin Davidson.

1. Call to Order

Sen. Gard called the meeting to order at 9:35 A.M.

2. State Revolving Fund (SRF) Loan Programs

A presentation concerning SRF loan programs (Exhibit #1) was made by James McGoff, Director, Indiana Finance Authority Environmental Programs. In response to questions from council members, Mr. McGoff addressed the amount of money available currently and in the future for loans, the level of demand for loans, and loan interest rates.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

3. Indiana Brownfields Program

A presentation concerning the Indiana brownfields programs (Exhibit #2) was made by Mr. McGoff. In response to questions from council members, Mr. McGoff addressed the problems in determining the amount of unmet need for brownfield remediation, the allocation in the state of petroleum remediation grants, and the content of comfort letters.

4. Recommendations and Final Report

The following recommendations for inclusion in the final report and the final report were approved by voice vote of a majority of the appointed members of the council.

Great Lakes Compact: The General Assembly should adopt the Great Lakes - St. Lawrence River Basin Water Resources Compact, and should work toward adoption of implementation language that sustains current and future development and provides a strong state role in implementation.

Rulemaking:

(a) No recommendation is made to change the current estimated economic impact statement requirements in the environmental rulemaking process, but stakeholders in the process are encouraged to submit statements for consideration by the environmental rulemaking boards. The Indiana Department of Environmental Management (IDEM), the State Budget Agency, and stakeholders in the process are encouraged to consult and to recommend improved methods for generation of estimated economic impact statements and consideration of the statements in the process.

(b) In the sunset process, IDEM should be required to list both the rules the agency wants to be readopted and those the agency wants to expire.

(c) IDEM should propose an expedited environmental rulemaking process to address noncontroversial rules that are not covered under current law.

Recycling: The General Assembly should permit IDEM to use the solid waste management fund to promote beneficial uses of waste to energy technologies with priority given to waste tires.

Environmental Legal Actions: The General Assembly should adopt a ten year statute of limitations on environmental legal action claims that begins to run when environmental clean up costs are first incurred.

Storm Water: The General Assembly should provide that two jurisdictions proposing to implement storm water fees in the same geographic area must negotiate to adopt a memorandum of understanding (MOU) that gives only one of the jurisdictions authority to impose fees and manage storm water. If they fail to produce a MOU within six months, neither jurisdiction should be permitted to impose storm water fees in the area until they agree on a MOU.

Confined Feeding: The General Assembly should adopt the confined feeding good character disclosure and enforcement requirements contained in SB 431-2007, amended to allow IDEM to consider a permit applicant's compliance history outside the United States.

Electronic Waste: The state should expand its electronic waste recycling program to include all classifications of electronic waste and all state facilities.

5. Legislative Recommendations

Thomas Easterly, Commissioner, IDEM, presented the agency's recommendations for legislation in the 2008 session of the General Assembly (Exhibit #3). Mr. Easterly stated that IDEM does not propose permit fee increases.

6. Solid Waste Management Districts

Sen. Gard distributed to council members a chart (Exhibit #4) showing the 2006 financial position of solid waste management districts.

7. Adjournment

Sen. Gard adjourned the meeting at 11:30 A.M.